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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 SECURITIES AND EXCHANGE
11 COMMISSION,

12 Plaintiff,

13 v.

14 PATH AMERICA, LLC, et al.,

15 Defendants.

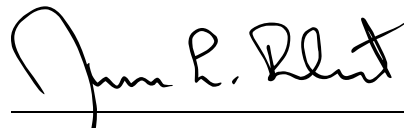
CASE NO. C15-1350JLR

ORDER GRANTING
UNOPPOSED MOTION FOR AN
ORDER APPROVING THE
SETTLEMENT OF CLAIMS RE:
ZHOU YAN

16 Before the court is the Receiver Michael A. Grassmueck's motion for an order
17 approving the terms of the Receiver's settlement of claims regarding Zhou Yan. (Mot.
18 (Dkt. # 604).) An opposition to the motion was due by December 26, 2017. *See* Local
19 Rules W.D. Wash. LCR 7(d)(3) ("Any opposition papers shall be filed and served not
20 later than the Monday before the noting date."). No party has filed a response to the
21 motion. (*See generally* Dkt.; *see also* Notice of Non-Receipt of Opposition (Dkt. # 605).)
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1 “[I]f a party fails to file papers in opposition to a motion, such failure may be
2 considered by the court as an admission that the motion has merit.” Local Rules W.D.
3 Wash. LCR 7(b)(2). Further, the court has reviewed the Receiver’s motion and has
4 considered (a) the probability of success in the litigation, (b) the difficulties to be
5 encountered in the matter of collection, (c) the complexity of the litigation involved and
6 the expense, inconvenience, and delay necessarily attending it, and (d) the paramount
7 interest of the creditors and a proper deference to their reasonable views. *See In re*
8 *Woodson*, 839 F.2d 610, 620 (9th Cir. 1988). The court concludes that these factors
9 weigh in favor of approving the settlement and that the settlement is in the best interest of
10 the Receivership. Accordingly, the court GRANTS the Receiver’s motion (Dkt. # 604).

11 Dated this 27th day of December, 2017.

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14 JAMES L. ROBART
15 United States District Judge
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